

## DECLARATION AND POWER OF ATTORNEY

My residence, post office address and citizenship are as stated below next to my name.

## LIPID-BASED NITRIC OXIDE DONORS

X in the attached application including specification and claims if this line is marked, or

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this declaration.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the

claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint David B. Bonham (34,297), Stuart H. Mayer (35,277), Karin L. Williams (36,721), and Michael P. Fortkort (35,141), whose post office address is: Mayer, Fortkort & Williams, L.L.C., 200 Executive Drive, Suite 250, West Orange, New Jersey 07052, or their duly appointed associate, my attorneys or agents with full powers of substitution and revocation, to prosecute this application, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Direct Telephone calls to: David B. Bonham 703-433-0510

Direct all correspondence to the address:

**Mayer, Fortkort & Williams, L.L.C.  
200 Executive Drive, Suite 250  
West Orange, New Jersey 07052**

Full name of first joint inventor : Robert A. Herrmann

Inventor's signature : Robert A. Herrmann


Date : 12/5/00

Residence : 670 Tremont Ave., Apt. 8  
Boston, MA 02118

Citizenship : USA

Mailing Address : Same as above

Full name of second joint inventor: Wendy Naimark

Inventor's signature : 

Date : 12.08.00

Residence : 2 Ware Street, Apt. #306  
Cambridge, MA 02138

Citizenship : Canada

Mailing Address : Same as above

Form PTO-1595 (Modified)  
(Rev. 9-93)  
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## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## PATENTS ONLY

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Robert A. Herrmann  
Wendy Naimark

## 2. Name and address of receiving party(ies):

Name: Seimed Life Systems, Inc.

Internal Address: \_\_\_\_\_

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other \_\_\_\_\_Street Address: One Seimed PlaceCity: Maple Grove State: MN ZIP: 55311Execution Date: 12/8/00 Herrmann, NaimarkAdditional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: 12/8/00

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David BonhamInternal Address: Mayer, Fortkort & WilliamsStreet Address: 200 Executive Dr., Suite 250City: West Orange State: NJ ZIP: 07052

## 6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

## 8. Deposit account number:

50-1047

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David B. Bonham Reg. No. 34,297

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

4

ASSIGNMENT

WHEREAS, we,

- 1) Robert A. Herrmann, a U.S. citizen;
- 2) Wendy Naimark, a Canadian citizen;

residing at

- 1) 670 Tremont St., Apt. 8, Boston, MA 02118
- 2) 2 Ware St., Apt. #306, Cambridge, MA 02138

respectively; (hereinafter after referred to as "the Assignors"); have invented new and useful improvements in **LIPID-BASED NITRIC OXIDE DONORS**, for which application for Letters Patent of the United States has been executed by the inventors on the date of execution of this assignment; and

WHEREAS, SCIMED LIFE SYSTEMS, INC., organized and existing under and by virtue of the laws of the State of Minnesota, having an office at One SCIMED Place, Maple Grove, MN 55311-1566, (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title and interest in and to the application and invention therein described and claimed and any Letters Patent that may be issued upon the application or for the improvements therein contained.

NOW THEREFORE, in consideration of One U.S. Dollar (U.S. \$1.00) and other valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer, and convey to Assignee the entire right, title, and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues, and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications, and said Letters Patent;

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2. Authorize Assignee to file patent applications in any or all countries for any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title, and interest therein or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;

5. Bind our heirs, legal representatives, and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications, and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives, and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs, legal representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

001227 9234260

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal  
this 8 day of December, 2000.

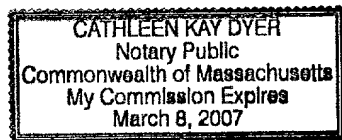
  
Robert A. HERRMANN

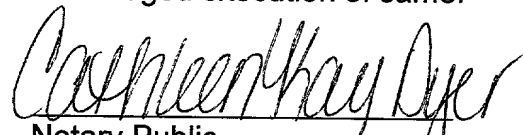
United States of America )

State/Commonwealth of (**Massachusetts**) ss:

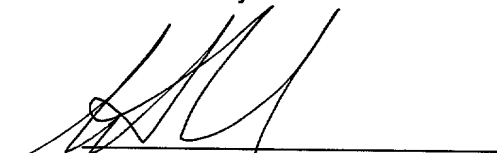
County of (**Middlesex**) )

On this 8<sup>th</sup> day of December 2000, before me personally came  
**ROBERT A. HERRMANN**, to me known to be the individual described in and  
who executed the foregoing instrument, and acknowledged execution of same.



  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal  
this 8 day of December, 2000.

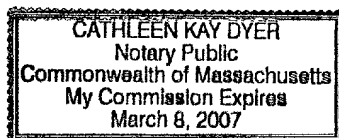
  
Wendy NAIMARK

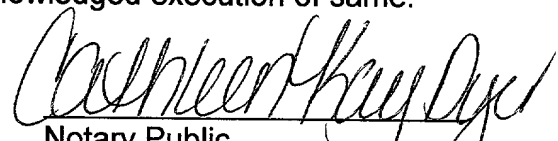
United States of America )

State/Commonwealth of (**Massachusetts**) ss:

County of (**Middlesex**) )

On this 8<sup>th</sup> day of December 2000, before me personally came  
**WENDY NAIMARK**, to me known to be the individual described in and who  
executed the foregoing instrument, and acknowledged execution of same.



  
Notary Public

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